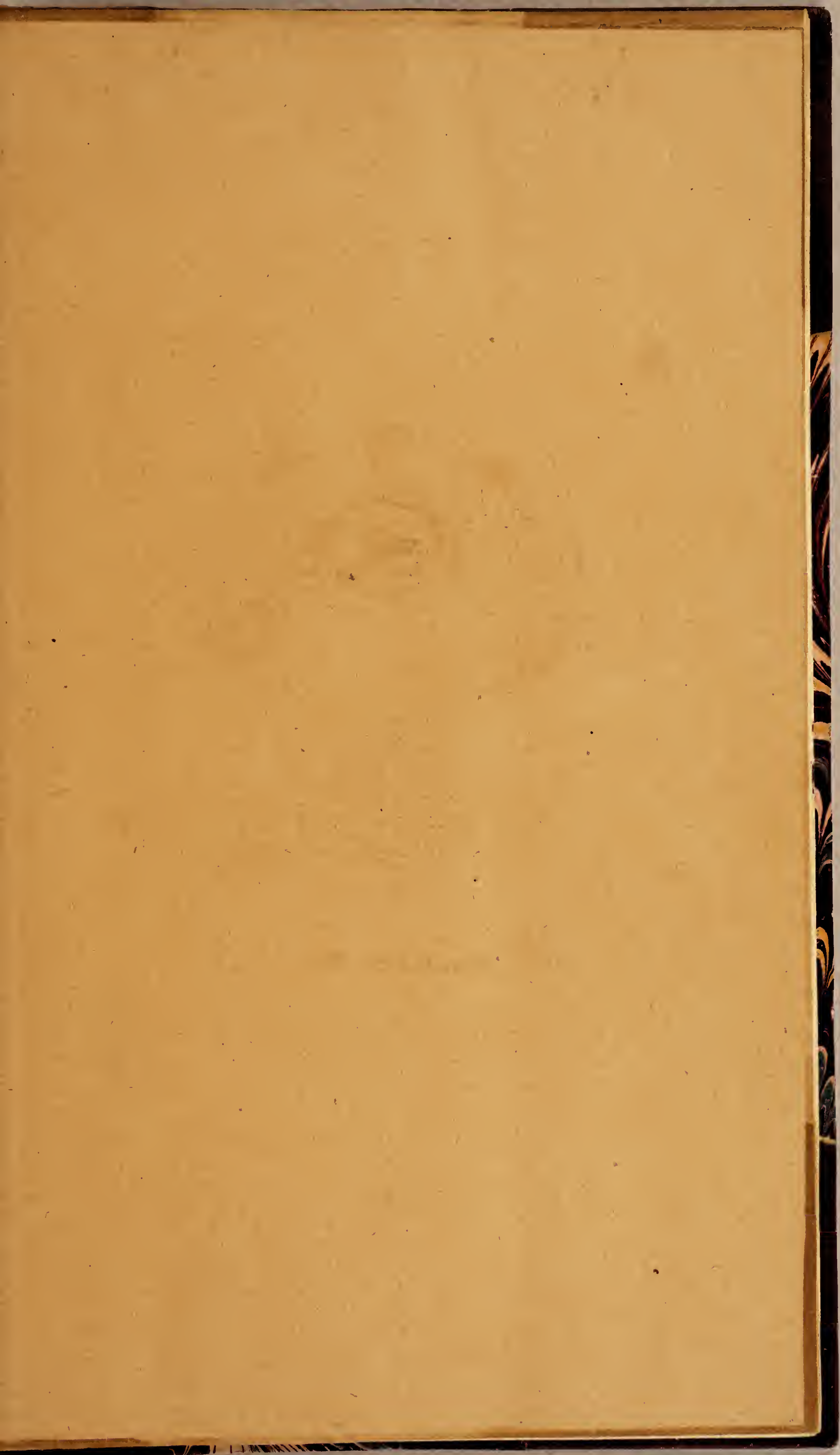






John Carter Brown.





date only

London 1763

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A N
A P P E A L
T O T H E
P U B L I C,

In Behalf of

GEORGE JOHNSTONE, Esq;

GOVERNOR of WEST-FLORIDA.

In Answer to the NORTH BRITON EXTRAORDINARY,
and in consequence of other Matters not taken Notice
of in that EXTRAORDINARY Publication.

“ Judicium reddit verum narratio vera.” VIRG.

“ Hear ALL, and THEN let JUSTICE hold the Scale.”
OTWAY.

L O N D O N:

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A N

A P P E A L, &c.

TH E proceedings between the author of the North Briton, Governor Johnstone, and Mr. Brooke, (for the latter, whether the writer of the North Briton or not, must be separately considered from the first) having made a great noise in the Political World, and Mr. Johnstone's Behaviour been greatly censured and condemned, it is thought highly necessary to set every transaction in a proper light, and appeal to the judgment of the public, which of the three are the most to be blamed.

ON the 17th of September, the writer of the North Briton published a Paper strongly reflecting on the appointment of
B Scotchmen

Scotchmen to the Government of Florida. Mr. Johnstone, it is natural to suppose, was provoked at such ill-treatment, and, as the other governor was abroad, he thought it, perhaps, the more incumbent on him to shew his resentment in behalf of both; at least he certainly thought, that a vindication of his own cause, would be admitted a full justification of that of the other. This was not the effect of a "Hastiness of disposition," as the North Briton Extraordinary, and the enemies of Mr. Johnstone, have unjustly suggested, but of a full and mature deliberation; for the Paper made its appearance on the Saturday morning, and Mr. Johnstone did not apply to Mr. Sumpter till the Monday following.

BUT lest some of the Readers of this Appeal may not have perused the North Briton to which this gentleman, Mr. Johnstone, so strongly, and with so much reason, objects, it will not be improper to take a slight review of that performance; point out the exceptionable passages, and detect its malevolent intentions.

THE

THE writer, in a Letter to himself, begins thus, “ Sir, we have been told, “ and it has never been contradicted, that “ our hopeful administration have placed “ our new subjects in Florida under the “ government of *Scotchmen* ; but as the Gazette has not been dishonoured by notifying so *partial* and *flagrant* an appointment, “ I am still in hopes it is either nothing “ more than a mere report, or that it is “ not carried so far into execution, but the “ design may yet be prevented by shewing how *incongruous* it is to *Justice*, how “ *repugnant* to *Policy*, and how *baneful* to “ *Liberty*.”

Now, let us consider this Passage. By mentioning the Government being placed in the hands of *Scotchmen*, and then calling that a *flagrant* and *partial* appointment, and the notification thereof a *dishonour* to the Gazette, is certainly highly insulting and injurious in respect to the parties appointed. Mr. Johnstone was one of those parties, and consequently undeservedly abused ; because in regard to

himself, he could not consider the Appointment as either *flagrant* or *partial*, or the notification a *disgrace* to any Gazette whatever. *Partial* to him as a *Scotchman* it could not be, for neither *Englishman* or *Irishman*, of Desert, made any Application for it. *Flagrant* it was not, because the Ministry had an undoubted right to make choice of whom they pleased; and if Mr. Johnstone was thought the most proper person, it was not for *him* to refuse. No! He may justly cry out with Othello, "*They had eyes and chose me.*" But this is not all: The North Briton, after saying thus much, maliciously strives, the plainer to shew his rancour, to deprive the Governor of his Post. For which wicked purpose, he openly and roundly declares, that he is "in
 " *hopes* the appointment is either nothing
 " more than a *mere report*, or that it is
 " not carried so far into execution, but
 " the design may yet be PREVENTED, by
 " shewing how incongruous it is to Justice,
 " how repugnant to Policy, and
 " how baneful to Liberty." If any Englishman will take upon him to assert,
 that

that such an atrocious attempt did not deserve Mr. Johnstone's resentment, a challenge, and a bastinado to boot, justice may be said as well to be fled from England, as (according to the North Briton) it is already from Scotland.

BUT how does he shew the impolicy, injustice, &c. of the appointment? Hear him. “ As it cannot possibly be supposed (continues he in his *pretended* letter) that the Inhabitants of these Provinces (East and West Florida) will meet with a more equitable or lenient treatment, than the people in Scotland experience from their own countrymen, who are invested with a jurisdiction over them, I shall present you with a few anecdotes, which, at the same time that they tend to display, in a proper light, that wisdom which of late has been every where so apparent in the acts of the State, will incontrovertibly shew, how exceedingly well calculated a Scottish administration is, to reconcile the minds of the Floridans to their new masters, and convince
“ them

“ them of the superior blessings of an
 “ English Constitution ! The truth of
 “ these anecdotes (he goes on) may be
 “ fully depended upon, for they are no-
 “ notorious facts ; and I doubt not but
 “ they will prove the Scots as eminently
 “ conspicuous for justice at home, as for
 “ œconomy abroad.”

I shall just interrupt Mr. North Briton
 here, and break in a moment upon the
 Reader's patience, to observe, that admit-
 ting the Scots may not be used in their
 own Country with quite so great a degree
 of equity or mercy as Englishmen are in
 England, it by no means follows, that a
 Scotch Governor should behave in the
 same manner to those in his power
 abroad, as he possibly would do to such as
 might be under his command at home.
 The reason is obvious : In Scotland, the
 inferior sort are carefully and wisely taught
 to pay a proper respect to their superiors,
 and to have an implicit belief in the rec-
 titude of every transaction of those above
 them ; nor can this be deemed unjust, as,
 from a polished and liberal education,
 they

they must be supposed to have a much better idea of right and wrong than those, who, from their situation in life, cannot have any such advantages. Now it will sometimes happen, that the lower sort, from ignorance, or an obstinate aspiring disposition, will be headstrong and wilful; in this case, perhaps, their lord, or superior, will punish them with a rigour, that, simply considered, may be carried beyond the merits of the crime, and have the *appearance* of being both inequitable and unmerciful; but, in fact, it is neither the one nor the other; for (like the punishment of a *colony* slave) it is not inflicted on them, because the fault really deserves so much, but as a warning to others not to offend at all; and surely no man will argue so wildly, as to pretend that the sufferings of an individual is to be considered, when the public good is the end for which he sustains them?—Let us now examine the other point. In England and our Colonies, (from what depravity of opinion I know not) the lower sort are brought up with as high notions of freedom and independence, as
any

any of their superiors; and the consequence of it is, that when their rulers (who, for the reasons given in respect to the Scottish gentry, must be allowed to know what is proper or improper better than themselves) have formed any law, or entered into any treaty for the national welfare, truly if the Mob does not approve of it, the kingdom is thrown into an uproar, which cannot be quieted but by a repeal of all that has been done. Now as subordination is no more characteristic of the middling sort in our colonies than in England, there can be no fear of a Scotch Governor's endeavouring to rule them there as he would in Scotland, *for he must know they would not suffer it*, and, therefore, *his own safety* will always insure them from the attempt.

THE North Briton then goes on to confirm his Assertions, and illustrate his Position, of "that spirit of oppression
" that prevails wherever a Scotchman
" strides into Power," by a set of trifling anecdotes, as childish in themselves, as inadequate to the purpose proposed. That
Lord

Lord Halkerstone, one of the Judges of the supreme court in Scotland, used, during the recess of business, to be consulted in private, as counsellors are in England, is most certain, but what of that? The author of the North Briton of September 17, indeed, says, “ that in England, “ an English Judge, would have told “ those who applied to him, that he was “ not a *council*; and severely rebuked “ them for making such preposterous applications.” It is possible they might do so; nay, custom assures me they would; nevertheless, I cannot possibly see, why a man should not avail himself of his abilities, and as all Judges were first at the Bar, why they should forget, or refuse to profit by the Profession, to which they were originally bred? It may perhaps be answered, that it is stooping below the dignity of a Judge; if this is admitted, the following consequence *must* be drawn, and allowed at any rate, namely, that the Scotch are of a more condescending disposition than the English; and that that spirit of Pride which has been so universally attributed to them by the latter, with

much greater justice belongs to their accusers. The North Briton tells us, that Lord Halkerstone was “ frequently consulted in private by his country neighbours, and others, about their several Differences ;” and that “ those who were *best able to plead* their Cause, not those who had the *best cause to plead*, were sure of his lordship’s award.” I suppose the North Briton means this as a reflection on lord Halkerstone’s conduct ; what a Caviller ! The most it can prove is, the captivating power of Oratory ; and that Lord Halkerstone was not less fallible than the whole Roman Senate, whose senses were frequently charmed, and whose decisions were in many instances wrong, through the force of eloquence in Cicero. Well, but the North Briton will say, “ a Peasant, one of lord Halkerstone’s own tenants, once applied to him on account of a neighbour’s cattle having broke into his orchard, devoured his fruit, injured his trees, and done him other considerable prejudice, and at the same time requesting of his lordship to acquaint him how the law stood in this

“ case,

“ case, and what reparation he might le-
 “ gally expect? In answer to which, (he
 “ will continue) the judge very learnedly
 “ and largely expounded the law to his te-
 “ nant—told him the fine his neighbour
 “ might be amerced in; which he high-
 “ ly ascertained from the strength of the
 “ wall that fenced in the inclosure—added
 “ to the whole an exorbitant sum, as an
 “ equivolent for damages and repairs—ex-
 “ patiated on the justice of the law—and,
 “ at last, finished his discourse with inter-
 “ rogating the suitor, by whose cattle the
 “ offence had been committed?” The
 North Briton will farther say, that
 “ when lord Halkerstone understood that
 “ it was his own cattle that had, in this
 “ manner, broke down the fence and de-
 “ stroyed the orchard, that he entirely al-
 “ tered his tone.” True, Mr. North
 Briton, he did so, and surely he had suffi-
 cient reason for such a proceeding! In the
 first place, the farmer was his own tenant,
 and, consequently, by the spirit of the
 laws, and the custom of that country,
 was his lordship’s Vassal: Was it not then
 most daringly impertinent in him to de-

ceive his Master into a belief that the offence was committed by the cattle of another person? And was it not most highly reprehensible, nay, most deservedly punishable, to wrest from his lord, by so crafty a method, such a peremptory adjudication against himself? I believe there is not even an *Englishman*, loud as he may bellow for the Phantom, Freedom, that could possibly answer here in the Negative. This, then, granted, how must we admire the amiable behaviour of his lordship, who, instead of chastising the peasant, most leniently condescended to expostulate the matter with him; and that in so convincing a manner, that I shall not fear to lay lord Halkerstone's Speech before my Readers, just as I find it in the North Briton, and appeal to their own judgment for a confirmation of my opinion. “ As soon
 “ as the Judge perceived (says he) how
 “ matters were situated, he tells the peasant, I must acknowledge, that the law
 “ really stands, *in general*, as I have already explained it; but there are some
 “ particular exceptions to all *general* Rules,
 “ and *many* cases to which those *general*
 “ axioms,

“ axioms, I just now mentioned, cannot
 “ be properly applied. The case before us
 “ is attended with many very particular
 “ circumstances, which render it quite
 “ unjustifiable to suppose, that those *gene-*
 “ *ral* rules should be extended thereto. In
 “ the first place, the offending cattle be-
 “ long to your own Laird, whose friend-
 “ ship and favour may, *in all other causes,*
 “ be of more consequence to you, than
 “ the *trifle* to be expected from the pro-
 “ secution of so *odious* a *claim*. In the
 “ next place, the *rigour* of law is *only* to
 “ be used between persons of an *equal*
 “ degree. What would the world say of
 “ you, if you should persist in such a de-
 “ mand against one so much your superi-
 “ or? And what would my brother Judges
 “ and the neighbouring gentry say of me, if
 “ I should set such an unparalleled Exam-
 “ ple of condescension, as to place myself on
 “ an equality with a farmer? No, my own
 “ DIGNITY will never permit it; and you
 “ have more *understanding*, if you give
 “ yourself a moment’s reflection, than to
 “ suppose I would ever stoop to so *abject*
 “ a *submission*.”

HAVING

HAVING so far confuted Mr. North Briton, I shall now proceed. His next endeavour is to shew, that in Scotland
 “ their very *proverbs* are contrived to inspire
 “ the middling and inferior part with the
 “ notion, that nothing but loss and disappointment is to be met with in contending
 “ for right, *even in the plainest case*, with a
 “ person in a superior station :” And pray how does he shew this ? Why he gives you two or three of their Adages, one of which is, *Shew me the MAN, and I’ll shew you the LAW* ; and this the North Briton wisely expounds to be “ manifestly calculated to teach the people, that it is ridiculous to dispute with their betters,
 “ when the event of a cause may be so easily known from the circumstances only of the persons concerned.” What an ignorant construction ! The true meaning is, *Shew me the MAN, and from the consideration of his MORALS, CHARACTER, and BEHAVIOUR, I’ll shew you the LAW*. Surely this is justice in the strictest sense ; for if a Man be a bad man, how right soever he may be in that particular cause, it would undoubtedly

undoubtedly be extremely inequitable to let him triumph, in the way of law, over an antagonist who is a less dishonest man than himself! The comment therefore, which the North Briton *ironically* makes on the Scotch proverbs, I shall beg to do *seriously*; viz. “ These, and other similar
 “ sayings amongst the Scots, evidently
 “ prove the good opinion they entertain of
 “ their own Judges, and the administrators
 “ of law in their own country.”

THIS *pretended* Correspondent of the North Briton's proceeds on his unmeaning topic, still more unmeaningly handled, with saying, “ I will now, sir, shew you how
 “ Causes have been, and now are, carried
 “ on ; that you may have at once before
 “ you the conduct of Scottish Judges, as
 “ well during the time of their *Sessions*,
 “ as that of their *Vacation*. In the court of
 “ Session (continues he) it is usual, as at
 “ Paris, for persons at law with each
 “ other, to go about, like candidates at an
 “ election, soliciting the votes and interest
 “ of the Judges, who (i. e. the Judges)
 “ are each attended by a PATT and a

“ SECRETARY ; the first of which it is
 “ absolutely necessary to *consult*, and the
 “ latter to *treat* with. When you are
 “ informed of the origin of *Patship*, you
 “ will readily guess the nature of the of-
 “ fice. One of the former Judges of that
 “ court, of the first character, knowledge,
 “ and *application to Business*, had a son at
 “ the bar, whose name was PATRICK,
 “ and when the suitors came about solicit-
 “ ing his favour, his question was, *have you*
 “ *consulted Pat* ? If the answer was affirm-
 “ ative, the usual reply of his lordship
 “ was, *I'll enquire of Pat about it. I'll take*
 “ *care of your Cause. Go home and mind your*
 “ *Business*. This Judge (he goes on) in
 “ that case, was ever as good as his
 “ word ; for while he and his brother
 “ Judges were putting on their robes,
 “ he would tell them what pains his son
 “ had taken, and what trouble he had
 “ put himself to, by *his* directions, in
 “ order to find out the real circum-
 “ stances of the dispute ; and as no one
 “ on the bench would be so *unmannerly*
 “ as to question the *veracity* of the son,
 “ or the *judgment* of the father, the de-
 cree

“ decree always went according to the in-
 “ formation of *Pat*. At the present *Æra*,
 “ in case a Judge has no *son* at the Bar, his
 “ nearest relation, and he is sure to have
 “ *one* there, officiates in that station.”—

The North Briton, I do not doubt, plumes himself highly on this Stroke at the Scottish Judges; alas, poor man, how he dupes himself by false conclusions! That his origin of *Patship* is just, I do admit, and that the Judges are *now* attended by them, I will allow; but where is the impropriety of the practice? I believe no one imagines that a Judge can be too well acquainted with the cause before him; or that the merits of it can be dived into too deeply; therefore as the evidence that appears before a court is frequently false, and consequently hurtful, merely for want of time to examine, and proper consideration to detect it, surely a Judge's employing a *Pat* to consult and enquire into the case, and make his report accordingly, *previous to the trial*, is a highly prudent proceeding; truly consonant to law, and strictly conformable to equity? For my part, I have so great an opinion of *Patship*, that

I cannot help expressing a wish to see it adopted in all the courts of Justice in England. As to the Fees that are paid by the parties at law, to the *Pats*, (at which the North Briton only glances by a *good-natured* inuendo) they are nothing more than trifling compensations for their trouble, paid them on the well known axiom, that *every labourer is worthy of his hire*; and in regard to the *Pats* being generally the sons and near relations of the Judges, that is not done with the interested intention to enrich themselves and Families: No—it flows from the *noblest* motive — for on whom, with equal reason, could they implicitly rely, for a just and true relation of things, as on their own blood; whom, having educated and instructed in the *same* principles as themselves, they may be able to depend on the HONESTY of *their* sentiments, from a thorough conviction of the EQUITY of *their own*? The premises thus considered, and explained, can it be wondered at, that in all the causes tried before that great man, the original founder of *Patship*, “no one on the bench would be so *unmannerly* as to question the *vera-*”
“city

“ *city* of the son, or the *judgment* of the father ?” Or is it any way strange, that the consequence of it was, “ the decree always “ went according to the information of “ *Pat* ?” The North Briton may, if he pleases, after his own ironical manner, declare, that the *sons* being educated in the *same* principles as the *Fathers*, he does not doubt, but the *honesty* of the *one*, is truly conformable to the *equity* of the *other* : To which I shall only answer, *Honi soit qui mal y pense*.

THE rest of his anecdotes and remarks being of a piece, for soundness of reasoning, and propriety of application, with the foregoing, and having, I think, sufficiently detected the malevolence and absurdity of those already animadverted upon, I shall pass the remainder over in silence, and come directly to the North Briton’s Corollary, which he gives (in his letter to himself) in these words ; “ I “ could, sir, present you with many other “ similar anecdotes ; but these, I presume, “ will fully suffice, to give you a true “ idea of that high estimation, in which

“ Liberty and Justice is held in the king-
 “ dom of *Scotland*. Every man of sense
 “ will easily perceive, how truly *impolitic*
 “ it must be, to put the people of *Flori-*
 “ *da* in the power of persons, who, even
 “ amongst themselves, are guilty of such *un-*
 “ *justifiable* and *inhuman* proceedings; and I
 “ leave it to your own particular considera-
 “ tion, Mr. North Briton, (continues he to
 “ himself) whether, under a government of
 “ *this* sort, the Floridans can have any in-
 “ ducement to become good and useful
 “ Citizens, and *sincerely* unite themselves
 “ with England; or whether they will
 “ not, rather, be inclined to believe us a
 “ set of unmerciful oppressors; *undeserving*
 “ their *duty* as SUBJECTS, and *unworthy*
 “ their *affections* as MEN?” — As to the
 first part of his Corollary, its satirical inu-
 endo cannot *now* have any weight with my
 readers, any more than his succeeding
 epithets of *unjustifiable* and *inhuman*: But
 even admitting the justness of the latter,
 I have nevertheless shewn at the beginning
 of my Appeal, that the *high-flown* notions
 of liberty and independance, are as predom-
 inant in our Colonists, as in the English,
 and

and that the spirit of their constitution is exactly the same: Now as the people of Florida will not consist *entirely* of Floridans and Scotchmen, but be composed also of English, Irish, and Natives from many of the other British settlements, all of whom have already lived under English laws, and English Government, there can be no doubt, but these *unenflaved* gentry will take care to instil into the minds of the Floridans the same curious opinions of *Freedom* they have so boundlessly imbibed in themselves; and the consequence of it will be, that the *Scotch* Governors will have more wisdom, than to think of ruling in *so* absolute a manner, as may be consistent with the passive dispositions of the inferior *Scots*, but altogether incompatible with the ungovernable tempers of the *others*: The ultimate deduction therefore, is, that their Excellencies, Governors Johnstone and Grant, even were they disposed to it (which I can by no means admit) will never act so impolitically despotic, as to introduce into Florida any part of *Scottish Lairdism* (highly as it ought to be preferred to *English Ideas*
of

of government) whereby they may “ in-
 “ cline the Floridans to believe us a set of
 “ unmerciful oppressors; *undeserving* their
 “ duty as SUBJECTS, and *unworthy* their
 “ affections as MEN.”

As my readers must be now as thoroughly satisfied as myself, of the grossness of the affront offered to Governor Johnstone by the North Briton, with what degree of assurance must not that author be endued to bring the subsequent transactions between them, “ before the tribunal of the public,” in a North Briton Extraordinary? And with what a stock of audacity must he not be furnished, to declare, at the same time, with all the seeming conscious honesty imaginable, that “ by their impartial judgment he is willing to abide; and to their uninfluenced verdict he is ready to submit?” If guilt can thus barefacedly brave the light, with what degree of boldness, may not an appeal in behalf of innocence emerge into day!

IN

IN consequence of this extreme ill-usage, did Mr. Johnstone write that *Letter* to the North Briton, which has been so untruly denominated a challenge. The meeting, as appears by the epistle itself, was desired merely as a *favour*; now, surely, no man can think the Governor would be so extravagantly silly as to challenge another, and call the acceptance of that challenge a *favour*! Well, but what then (it may be said) was the intention of that meeting? Why that was sufficiently explained in the letter, where Mr. Johnstone says to the North Briton “ I will endeavour
 “ to convince you, by ARGUMENTS,
 “ best adapted to your sensations, how
 “ much you are mistaken in the Man
 “ you have endeavoured to injure, without
 “ provocation.” The design is here plainly pointed out. If sword and pistol had been meant, the Governor would never have termed them *Arguments*; because that gentleman is not so weak as to imagine, that to conquer in a Duel, is a proof of the equity of the conqueror’s cause; nor can he be *Irishman* enough to advance, that to *kill* the North Briton, would be the
 means

means of “ *convincing* that writer that
 “ he had been mistaken in the Man he
 “ had endeavoured to injure without pro-
 “ vocation.” No—by *Arguments*, he meant
 only “ Words--Words--Words,” as Ham-
 let has it. Now *Words* being the North
 Briton’s Province, nothing could be more
 aptly expressed, than by saying he should
 be “ convinced by arguments *best* adapted
 “ to *his* sensations.” It is, I own, a com-
 mon observation, that *Words* are too fre-
 quently productive of *Blows*, and that
 whenever the latter happen in a Quarrel,
 the Narrator of the affair generally re-
 marks, “ that one word brought on
 “ *another*, and, at last, from words, they
 “ fell to *BLOWS* ;” but that this would
 have been the case, between Mr. John-
 stone and his antagonist, cannot possibly
 be supposed, after having so incontestibly
 shewn, that the former never intended any
 such consequence from his Letter. As to
 Hyde Park being pitched upon for the
 meeting, in preference to any tavern or
 coffee-house, the design was to prevent
 the possibility of inquisitive people over-
 hearing, and listening to, a dispute, of
 such

such high importance ; and as to the friend, which the Governor *gave leave* to the North Briton to bring with him, it sprung only from the *generous* and *impartial* motive, that he did not desire to *convince* his adversary of his fault, without a witness being by, to evidence the *fairness* of the triumph, and that he conquered in the CONTROVERSY, by the dint of ARGUMENTS only. However, to put this matter out of all dispute, Mr. Johnstone, in his second epistle, calls his first, “ a civil letter, which has been *construed* into a CHALLENGE, and given the North Briton his favorite opportunity of reducing the point in issue, to a quibbling war of words.” Mr. Johnstone I know to be a man, who scorns equivocation *equally* with a lie : If therefore, he had intended his epistle as a *challenge*, he would have been above the *meannefs* of calling it a *civil* letter, because he very well knows, that there can be no great *civility* in a challenge. In the next place he charges the North Briton with *construing* it into a challenge, which sufficiently *implies* that the construction is *wrong*. And, last of all, some few lines

E

after,

after, he has these words, “ but *supposing* “ Mr. Johnstone’s letter had *really* contained a challenge ;” which is only *supposing* it for *argument’s* sake, but, in fact, denying that it *really* did.—I am here aware that I have quoted a passage above, that seems to tell against myself; I mean where the Governor talks of the North Briton’s having gained “ his favourite opportunity of reducing the point in issue to a quibbling war of words.” I know it may be urged, that Mr. Johnstone must, (notwithstanding all I have advanced to the contrary) certainly have intended something more than a mere dispute of *Words*, at the meeting desired in his first letter; for it may be natural to say, where is the propriety of his thus charging, in his second letter, the *North Briton* with having reduced the point in issue into a quibbling war of *Words*, if *he himself* meant no more than a war of *words* in his first? I own this objection has the air of shrewdness, and carries with it the appearance of force, but it is nevertheless easily obviated. If my readers consider the passage a little attentively, they will find

find a single word there that reconciles the whole. Mr. Johnstone does not tax the North Briton with bringing the dispute to a mere war of *words*; no, that was the very point he aimed at himself: His charge is, that he had reduced the matter to a *quibbling* war of words; and there, indeed, he knew he could not stand on an *equal* footing with his antagonist. That the North Briton is a QUIBBLER, his giving the name of *Challenge* to a civil letter, intended only to convince him of an error, by *Arguments*, will plainly testify: That Mr. Johnstone is *not* a QUIBBLER, his second epistle, where he disavows his first to *be* a Challenge, is, of itself, a full and sufficient proof.

“ BUT supposing, (to use the Governor’s own words) Mr. Johnstone’s letter had *really* contained a challenge,”
 What does the North Briton mean in his Postscript, by insisting “ *for particular reasons*, on the Governor’s appointing for his
 “ Second, in case of an encounter, that pink
 “ of Scottish chivalry, the ever renowned
 “ and redoubtable hero, captain Forbes ?”

Did he want to engage them both, in order to redeem the honour of his Colleague? Or did he propose to pitch upon Mr. W. for *his* Second, and so bring on a battle-royal? Neither. He knew well enough, that captain Forbes was GONE *out of the way*; and, besides, if he was not, that captain Johnstone could not, in honour, appoint *such* a Second, whom not the English alone, but the Scotch themselves must, and do, esteem as a hot-headed madman. What then *did* the North Briton intend? If I may be permitted to explain another Man's thoughts, I believe he meant the highest insult imaginable to captain Johnstone, by a tacit comparifon between him and Forbes; nothing less, than that their *Cause* was *similar*, and their *behaviour* the *same*.

THE North Briton's "*particular reasons*" thus discovered, Mr. Johnstone's seeming deviation so much from the gentleman, in his answer, is readily accounted for. To be treated on the footing of a madman, was enough to make a man of much more patience than, I am sure, Mr. Johnstone pretends

tends to possess, fly into a passion, and run out into the calling of scoundrels, knots of knaves, &c. It may be replied, that the North Briton observes, there is “ an “ amazing difference between the *phren-* “ *zical* WARMTH of *romantic* HEROISM, “ and the *incumbent* RESENTMENT of *af-* “ *fronted* HONOUR,” and that he will not allow Mr. Johnstone, in this affair, “ could “ possibly have the least pretension to the “ latter.” I will acknowledge, that the man who pursues the former, justly claims the epithet of mad ; but that was by no means the pursuit of the Governor ; *af-fronted Honour* was *his* case in a double degree. The affront was not confined to him as a *man of honour*, but extended to him as an *honourable man*. That captain Johnstone is a *man of honour*, his tenaciousness of his character, distant soever as it may be touched upon, and his readiness to call his accusers to account, is strongly exhibited through the whole of his behaviour in life, from the earliest part of his days in Jamaica, to his quarrel with the North Briton. That he is an *honourable man*, I shall have no need to prove from his *con-*
fanguinity

sanguinity to several noble *Scotch* families, because he has a nearer and more immediate claim to it. He is Governor of West Florida, and that, alone, confers on his Excellency the envied title of HIS HONOUR; yes, let me proclaim it aloud, tho' I deafen the North Briton with the sound, HIS HONOUR!

I SHALL now take notice of the artful turn which the North Briton, in his reply to the Governor's second Epistle, gives to the expression of the knot of Knaves. Mr. Johnstone in his letter *flatly* calls the Authors of that paper a knot of Knaves; now let us see the *quibbling* writer's answer to it. " Well (says he) but who, my good
 " Sir, are these same knot of Knaves?
 " Indeed, Mr. Governor (he goes on) you
 " should learn to be a little more explicit.
 " If I had not been endowed with a tolera-
 " ble memory, I had remained in the dark
 " to this moment. A knot of Knaves! *I*
 " *ken your meaning weel*, [insolent puppy!]
 " I do remember having read a Comedy,
 " written and published in the year 1652,
 " by Mr. John Tateham, city Poet in the
 " reign

“ reign of Charles I. called THE SCOTCH
 “ VAGARIES, or a KNOT OF KNAVES,
 “ and a knot of Knaves, indeed, he has
 “ shewn them! Perhaps you recollected
 “ (continues he) the *title* of the Play with-
 “ out its *contents*. Shall I give you a speci-
 “ cimen or two?” Insulting as it is, I
 shall pass over the quotation he then makes
 from it, and beg to ask this one question.
 Could the North Briton really suppose, that
 if Mr. Johnstone had ever read this Come-
 dy, he would have adopted the second title
 of it to apply to him and his coadjutors?
 No; Mr. Johnstone must be assured, that
 they would never miss such an excellent
 opportunity of turning the very cannon
 against *him*, which he had so unskilfully
 pointed at *them*. It is a piece so highly
 and poignantly charged against the Scots,
 that I have long since wondered it escaped
 the notice of the North Briton. The
 truth is, Mr. Johnstone certainly never
 thought of that Play when he wrote to his
 antagonist; it was by accident, and acci-
 dent only, that he and Mr. Tateham hit
 on the same set of words, to express the
 characters of a very *different* set of people.

As

As to the North Briton's observations on Mr. Johnstone's going out of town at the very time he was led to expect an answer to his *challenge*—the deuce take the word! —*Letter* I mean,—I look upon them as mere fallies of wit. In the same light I esteem his explanation of what he calls Mr. Johnstone's allegory; and just the same too do I hold his laughable stroke at the Inspector. There is, what I have somewhere heard termed, great *cleverosity*, about all; but as they cannot deserve a serious answer, I shall hasten onwards to those passages that do.

THE writer taking for granted that the Governor's letter *is* a challenge, but which I have fully shewn is *not*, brings up the rear of one of his epistles, with what he imagines a couple of unanswerable remarks. “The North Briton (says he) “has but two observations more to make “in regard to the challenge, and he must “think them very strong ones. Does Mr. “Johnstone believe THAT man a proper person to have the *supreme command* of
of

“ of a COLONY, who, on the most frivo-
 “ lous occasion, is so ready to *burst through*
 “ *the LAWS of the MOTHER COUNTRY?*
 “ And does he think if *his Majesty*, or
 “ the *Earl of Halifax*, were informed of
 “ his sentiments and behaviour, in *this*
 “ affair, he would, *nevertheless*, be continued
 “ GOVERNOR of *Western Florida?*” To these
unanswerable questions, I shall beg to make
 the following responses.

FIRST; Mr. Johnstone, I am certain,
 does *not* think that man a proper person to
 have the supreme command of a Colony,
 who, *on the most frivolous occasion*, is so rea-
 dy, as the North Briton would *insinuate*
 Mr. Johnstone to be, to burst through the
 Laws of the Mother Country: But this
 gentleman's letter *not* being a challenge, he,
 consequently, did not burst through them
at all: Neither would he have burst thro'
 them, *on the most frivolous occasion*, even if
 it had; for the affronts he had received,
 (or I have been defending him to very lit-
 tle purpose) I have surely shewn to have
 been beyond all bearing. Secondly; tho'
 I cannot take upon me to say, whether the
 F great

great personage is, or is not, informed of Mr. Johnstone's sentiments and behaviour in this affair, yet I *can* take upon me to *affirm*, that the great man is, ay, and the Earl of Bute too, *thoroughly* acquainted with them, and, *nevertheless*, to the great mortification of the North Briton and his adherents, that he *will* be continued Governor of Western Florida.

HAVING now waded through the paper of September 17, and animadverted on the material points in the North Briton Extraordinary; having detected their malevolence, exposed their insolence, and exhibited their falsities; I shall not scruple to appeal to the understandings of my readers, whether Mr. Johnstone had not all the reason in the world to call the Author to account, *in any way whatever*? Secondly, whether his demanding only the satisfaction of convincing him by *arguments*, is not the highest proof of Mr. Johnstone's being a gentleman of *uncommon condescension*, and *remarkable coolness of temper*? And, lastly, whether *any* behaviour in Mr. Johnstone, after a discovery of the Author of
the

the paper of September 17th, would not be *warrantable in Honour*, even though *unjustifiable in Law*?

THIS naturally leads me to a few remarks on the occurrence, which has raised so much clamour, and made so much noise in the world, between Mr. Johnstone and Mr. Brooke. What I have to say on this head, will, however, be confined to a very small compass; for as it is now under a judicial process, that will be the most proper method of determining its merits.

MR. Johnstone received such information as *he* thought sufficient, that Mr. Brooke was the author of the Paper of September 17th. In pursuance of this notice, he went to this gentleman's house, in order to be satisfied of his reasons for such a conduct. But that I may be as impartial as possible in respect to this circumstance, I will set it down, as I find it in a common news paper. In the *Gazetteer* of Wednesday, October 19, appeared this paragraph.

“ A FEW days since, a lately appointed
 “ Governor of one of our new settlements,
 “ went to the lodgings of Mr. B. after
 “ sending him several letters, one in par-
 “ ticular, desiring a meeting with him at
 “ the Ring in Hyde Park; and after que-
 “ stioning Mr. B. if he was the author of
 “ a late North Briton, and not receiving
 “ an answer to his satisfaction, immediate-
 “ ly struck Mr. B. with both fist and
 “ cane, and then drew his sword upon
 “ him, and threatened his life, but assist-
 “ ance coming into the room, prevented
 “ farther mischief. Mr. B. has since served
 “ him with a Judge’s warrant, and em-
 “ ployed Mr. Beardmore to prosecute him
 “ for the assault.”

THE next day comes out, in the same
 Paper, the following more circumstantial
 account; no doubt, from its earnestness to
 rectify mistakes, written by Mr. Brooke
 himself.

“ WE were mistaken yesterday in our
 “ account of the behaviour of the *Scotch*
 “ Governor

“ Governor of West Florida. No chal-
 “ lenge was ever sent to Mr. B. to meet at
 “ the Ring in Hyde Park. The challenge
 “ was sent to Mr. Sumpter’s, the publisher
 “ of the North Briton, and directed only,
 “ *To the author of the North Briton of Sep-*
 “ *tember the 17th*, but to no person *by*
 “ *name*. So far was the Scotch gentleman
 “ from challenging Mr. B. that when he
 “ came to his apartments, he never men-
 “ tioned the having sent him any chal-
 “ lenge, or even insinuated a supposition
 “ that Mr. B. must have received one
 “ from him, which he had not answered.
 “ The plain question was, *Whether he,*
 “ *(Mr. B.) was the Author of the North*
 “ *Briton of September the 17th; and, if not,*
 “ *would he give it under his hand to that ef-*
 “ *fect?* Mr. B. demanded his authority
 “ for that question? The Governor insisted
 “ that Mr. B. absolutely was the Author
 “ of it, but denied giving up his autho-
 “ rity. Mr. B. said it was a bold assertion
 “ to be made, unsupported by any proof.
 “ The Governor repeated his first question.
 “ Mr. B. refused, without first knowing
 “ his authority. On which, without the
 “ least

“ least threat, menace, or even appearance
 “ of anger, that might have put *Mr. B.*
 “ on his guard, the *Governor*, unsus-
 “ pectedly, struck him with his fist,
 “ and as manfully repeated his blow
 “ with a large stick; and then, as
 “ *Mr. B.* was *grappling* with him, the
 “ *Governor* found means to draw his
 “ sword; by which time, the bustle had
 “ brought a person into the room. *Mr. B.*
 “ had neither sword, stick, or any weapon
 “ of defence in the room whatever; not
 “ even the common ones usual to all, such
 “ as poker, shovel, &c. they having been
 “ removed in order to be cleaned.”

THOUGH I believe I might save myself
 the trouble of animadverting on this trans-
 action, from the conviction which my
 readers *must* have, of the justness of *Mr.*
Johnstone's cause, yet I will beg to be
 heard a few words. In the first place, as *Mr.*
Brooke must be conscious that he was the
 Author of the paper in question, and as he
must be convinced that it was a manifest re-
 proach on the *Scots* in general, and, as *I*
 have explained it, on the *Governor* in par-
 ticular;

ticular; I say, self-convicted of these things,
 it was, undoubtedly, the highest mark of
 ill-breeding, not to call it insolent equivo-
 cation, in Mr. Brooke, to demand Mr.
 Johnstone's authority. This admitted, and
 admitted it *must* be, can the Governor be
 possibly blamed for chastizing such unex-
 ampled behaviour to a man of his polite-
 ness? From Mr. Johnstone's known cha-
 racter in this accomplishment, I dare ap-
 peal to Mr. Brooke himself, whether the
 question was not put to him in the politest
 manner? It is no wonder, therefore, he
 couldnot *brook* (spare me the pun) so uncivil
 a return. The writer of the paragraph
 seems to rest much on what followed Mr.
 Brooke's denial to resolve the question,
 namely, that "without the least threat,
 "menace, or even appearance of anger,
 "that might put *Mr. B.* on his guard, the
 "Governor *unsuspectedly* struck him with
 "his fist, and as *manfully* repeated his
 "blow with a large stick." And so Mr.
 Brooke you are angry, that Mr. Johnstone
 did not give you a previous notice of his
 intention, but struck you unsuspectedly!
 Was there ever any thing more absurd?

Does

Does the commander of an army, when he intends an attack, think it a mark of *prudence* to acquaint his enemy of his intentions? No, no, Sir. Though Mr. Johnstone is as *polite* a man as breathes, and let me say too as *generous* a man as exists, yet I think it would have been straining the point a little too far, to have exercised those virtues, in *such* a case, and to *such* an adversary. Pray, Mr. Brooke, let me ask you this one question; if Mr. Johnstone *had* put you on your guard, would you not have taken your advantage of it, so as to have prevented if not the blow, yet the intended effect of it? Come, come, I *know* you would: for you acknowledged you *grappled* with him; as it was, and, as I am told, even went so far as to *strike* him too.—In regard, sir, to your parade about Mr. Johnstone's drawing his sword; you acknowledge, yourself, he did not do it *till* you grappled with him, and *then* he had, surely, a *right* to that step. It was to *defend* himself, not *offend* you. You will say, indeed, that you was a naked man; had no sword, no stick in the room; no weapon whatever. What is that to
the

the Governor? Why had not you one then? Was not he to *defend himself* with his *sword*, because, truly, you had no weapon but your *hands* to *offend* him? For shame, Sir, learn to argue a little more consistently!

A word or two more, and I have done. Why, Mr. Brooke, did not you, when you was at your contradicting, set the Matter right in regard to the Judge's warrant? But I can easily see through your malevolent omission. You did not chuse to rectify it. You wanted the world to imbibe an opinion, that Mr. Johnstone is a very terrible Man, and that you had been obliged to serve him with a Judge's warrant, to secure your own life. What malice! You very well know, Sir, that this Judge's warrant was served on him *only* to hold Mr. Johnstone to bail, to answer the assault, and as you had not sworn the peace against him, that it was not to bind him, in sureties, that he should not break it. Fie, Sir, what can you think of yourself, in not undeceiving the *World* in this important particular, when it is evident,

G from

from your own conduct, that *you* are far from holding Mr. Johnstone in such an *alarming* light, and that *you* are very distant from entertaining any *fear* of *danger* from him? I believe, Sir, you begin to blush for your behaviour to Mr. Johnstone in this affair; I am sure the Public *must* for you; to whose censures I now leave you.

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